

Chairperson John R. Clark
Vice-Chairperson Michael Parks
Parliamentarian Don Maxwell



Commissioners
Michael Beckendorf
John Bond
Helen Chavarria
Ralph Davila
Robert Horton
G.H. Jones

MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, SEPTEMBER 4, 2008
AT 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

1. CALL TO ORDER.

Chairperson Clark called the regular meeting to order at 6:08 p.m.

Commissioners	Present	2008 Regular Meetings Held	2008 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attended During Last 6 Months
Michael Beckendorf	Yes	17	13	12	9
Johnny Bond	Yes	17	17	12	12
Helen Chavarria	Yes	17	14	12	10
John R. Clark	Yes	17	16	12	11
Ralph Davila	No	17	15	12	10
Robert Horton	Yes	17	14	12	12
G. H. Jones	Yes	17	16	12	11
Don Maxwell	No	17	12	12	10
Michael Parks	Yes	17	13	12	9

Staff members present: Mr. Martin Zimmermann, Planning Administrator; Ms. Julie Fulgham, Project Planner; Mr. Randall Haynes, Staff Planner; Mr. Michael Gary, Assistant City Attorney; Mr. Dale Picha, Director of Traffic and Transportation; Mr. Olin Seago, Jr., Assistant City Engineer and Ms. Kelli Hill, Planning Intern.

2. HEAR CITIZENS.

No one came forward.

3. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No affidavits were filed.

4. CONSENT AGENDA.

A. Approval of meeting minutes from the workshop and regular meetings on August 21, 2008.

B. Final Plat FP08-12: Hudson at University – Phase 2

M. Zimmermann

A proposed Final Plat of Hudson at University Subdivision – Phase Two, being 23.452 acres of land out of Richard Carter Survey, A-8, adjoining the north side of the 3000 block of University Drive East (F.M. 60) between State Highway 6 and Coppercrest Drive in Bryan, Brazos County, Texas.

Commissioner Jones moved to approve the Consent Agenda. Commissioner Chavarria seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

5. Replat RP08-11: Cavitt's Southmore Addition

J. Fulgham

A proposed Replat of Lots 1 thru 3 and a portion of Lot 4 in Block 3 of Cavitt's Southmore Addition, being 0.55 acres of land located at the south corner of South Coulter Drive and East 33rd Street in Bryan, Brazos County, Texas.

Ms. Fulgham presented a staff report (on file in the Development Services Department). She stated that the proposed replat conforms to all requirements of applicable codes and ordinances, and that staff recommends approval of the replat.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Beckendorf moved to approve Replat RP08-11, the replat of Lots 1 thru 3 and a portion of Lot 4 in Block 3 of Cavitt's Southmore Addition, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Jones seconded the motion.

Chairperson Clark asked if there was any discussion. There was none.

The motion passed with a unanimous vote.

6. Planning Exception PE08-05: Terra Firma Properties

R. Haynes

A request for approval of an exception to standards of the subdivision ordinance that require the installation of a sidewalk in conjunction with a proposed replat, specifically to not require the construction of a sidewalk along North Avenue with the proposed replat of Lots 1 and 2 in Block 1 of

the subdivision known as The Garden District, being 1.612 acres of land located on the north side of North Avenue, approximately 215 feet northeast from its intersection with South College Avenue in Bryan Brazos County, Texas.

Mr. Haynes presented a staff report (on file in the Development Services Department). Staff recommends approval of the request based on the following findings:

- In this particular case, the public interest would be better served if a new sidewalk were not required;
- Existing landscaping in front of the subject property and all along North Avenue creates an aesthetically pleasing streetscape that contributes to the ambience of the neighborhood, and while a new sidewalk would be generally desirable, under these circumstances it may negatively impact the living comfort and general atmosphere along North Avenue as it would require either the removal or almost certain demise of aesthetically pleasing streetscape features;
- The exception is necessary for the preservation and enjoyment of the property not only for the property owner but the entire neighborhood, and strict application of subdivision regulations, in this particular case, could cause both private and public enjoyment of the property to be compromised;
- Granting the exception will not have any more detrimental impacts to the public health, safety, or welfare of the general public than currently exist along this segment of North Avenue; and
- Granting this exception would not prevent the orderly subdivision of adjoining land in this vicinity.

Responding to questions from Commissioner Parks, Mr. Haynes stated that there is not a sidewalk on the other side of the street.

Responding to further questioning from Commissioner Parks, Mr. Haynes stated that a letter of credit has been given to the City by the developer for the estimated cost of the sidewalk, and that the decision here is whether or not the City will ultimately take action on the requirement to build the sidewalk. He stated that the letter of credit is to guarantee that the sidewalk will be built sometime in the future on that location if so required, but that the developer is asking for an exception to that requirement for reasons other than money. Mr. Haynes stated that a Capital Improvement Program is in place which includes a sidewalk master plan, but that this sidewalk does not appear on the plan.

The public hearing was opened.

Mr. Alan King, 2517 Fitzgerald Circle, College Station, owner and developer of the property, came forward to speak in favor of the request. He stated that if the request was denied, he has until November 1st to put a sidewalk in. He stated that the planning exception is requested for several reasons; for the fact that a great number of trees will be heavily impacted and because of the existence of a detention pond that handles water flow from the parking lot which is part of the aesthetics of the property. He stated that in his current plan, there are sidewalks that take into consideration the trees and additional detention ponds for onsite drainage and that there is the intention to have sidewalks, but that he would like to do it in a manner that is aesthetically pleasing to the property.

The public hearing was closed.

Commissioner Chavarria moved to approve Planning Exception PE08-05 and to adopt the written staff report and analysis, as this Commission's report, findings, and specific facts upon which those findings are based, in accordance with section 110-103 of the Bryan Code of

Ordinances, with these findings having been made after taking into account, as required by section 110-102 of the Bryan Code of Ordinances, the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such exception upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity. Commissioner Jones seconded the motion.

Commissioner Parks stated that in terms of aesthetics, he is encouraged by the applicant's statement that sidewalks are planned, and he thinks that every opportunity to install a sidewalk should be taken.

Chairperson Clark stated that the City needs sidewalks, and that he agrees with everything that has been said.

The motion passed with a vote of seven (6) in favor and one (1) in opposition. Commissioner Parks cast the vote in opposition.

7. ADJOURN

Without objection, Chairperson Clark adjourned the meeting at 6:32.

These minutes were reviewed and approved by the City of Bryan Planning & Zoning Commission on the 18th day of **September, 2008**.

John R. Clark, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, Planning Administrator
and Secretary to the Planning and Zoning
Commission